

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75092 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- Aunsi District- Madhubani

Chandan Kamat @ Chandan Kumar Kamat S/o- Ram Vilash Kamat Resident
of village- Navtoli PS- Ladaniya District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Act, 2018.

3. Altogether 495 liters of Nepali liquor is said to have been recovered from the co-accused, Indal Kumar.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. Nothing has been recovered from the conscious physical possession of the petitioner. He has no concern either



with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case on suspicion. Petitioner has no criminal antecedent.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Aunsi P.S. Case No. 46 of 2024 corresponding to G.R. No. 1151 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will



be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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